

*Pro Se 15 2016*

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

Roland Ma,

Plaintiff(s),

v.

Petal Card Inc.,WebBank, Inc.,

Defendant(s).

CASE NO. 2:20-cv-00081 RSM  
[to be filled in by Clerk's Office]

COMPLAINT FOR VIOLATION  
OF CIVIL RIGHTS  
(for use only by plaintiffs not in  
custody)

Jury Trial: ☒ Yes ☐ No

**I. THE PARTIES TO THIS COMPLAINT**

A. Plaintiff(s)

*Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.*

Name	<u>Roland Ma</u>
Street Address	<u>100 S King St Ste 100</u>
City and County	<u>Seattle in the County of King</u>
State and Zip Code	<u>State of Washington and 98104</u>
Telephone Number	<u>(206) 415-1234</u>

B. Defendant(s)

*Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.*

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## Defendant No. 1

Name Jason Gross

Job or Title (*if known*) President of Petal Card Inc.

Street Address 116 W Houston St Fl 2

City and County New York and County of New York

State and Zip Code New York and 10012

Telephone Number (855) 697-3825

☒ Individual capacity ☒ Official capacity

## Defendant No. 2

Name Petal Card, Inc. c/o Harvard Business Service, Inc.

Job or Title (*if known*) Domestic Profit Corporation

Street Address 16192 Coastal Hwy

City and County Lewis and County of Sussex

State and Zip Code State of Delaware and 19958

Telephone Number (855) 697-3825

☐ Individual capacity ☒ Official capacity

## Defendant No. 3

Name WebBank, Inc.

Job or Title (*if known*) Foreign Profit Corporation

Street Address 215 State St Ste 1000

City and County Salt Lake City and Salt Lake County

State and Zip Code State of Utah and 84111

Telephone Number (844) 994-2265

☐ Individual capacity ☒ Official capacity**II. PREVIOUS LAWSUITS**

Have you brought any other lawsuits in any federal court in the United States:?

☐ No ☒ Yes

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Describe the lawsuit:

1) Constitutional rights issue (See docket of 2:19-cv-01764-RSL)

2) The criminal part is being reviewed (See Exhibit A)

Parties to this previous lawsuit:

City of Seattle

Seattle Police Department

Plaintiff

Roland Ma

Defendant(s)

City of Seattle

Seattle Police Department

Court and name of district:

US District Court, Western District of Washington

Docket Number: 2:19-cv-01764-RSL

Assigned Judge: Judge Robert S. Lasnik

Disposition: Pending

Approximate filing date of lawsuit: 10/29/2019

Approximate date of disposition: Pending

### **III. BASIS FOR JURISDICTION**

- A. Equal Credit Opportunity Act (ECOA) (15 U.S.C. §§ 1691 and following) and Regulation B (12 C.F.R. §§ 1002 and following), as amended.
- B. Fair Credit Billing Act (FCBA), 15 U.S.C. §§ 1666–66j, as amended.
- C. 28 U.S. Code § 1332. Diversity of citizenship; amount in controversy; costs

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**IV. STATEMENT OF CLAIM**

*State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.*

Account has been suspended since 11/26/2019, and restrictions have been removed on 12/10/2019; however, on 12/13/2019, they have questioned about the sex change on my ID, which is approved by the State on 11/19/2019, then the creditor terminated account.

A. Where did the events giving rise to your claim(s) occur?

12/10/2019 – Account Verification has been completed

01/06/2020 – Account information cannot be verified and terminated it.

B. What date and approximate time did the events giving rise to your claim(s) occur?

12/11/2019 – Taking gender on the ID into the consideration

12/13/2019 – My Caller IDs are being blocked by them (See Exhibit B)

C. What are the facts underlying your claim(s)? *(For example: What happened to you?*

*Who did what? Was anyone else involved? Who else saw what happened?)*

Attempted to resolve it by arbitration dated on 1/3/2020, but the company received the demand for arbitration dated on 1/6/2020, and as part of the retaliation, they decided to close the account and denied for arbitration as stated in the User Agreement. Sex/Gender should not be taken into consideration per ECOA.

**V. INJURIES**

*If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.*

Damages to my credit report and refused to take corrective actions per FCBA.

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**VI. RELIEF**

*State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.*

1) Honor to the email dated on December 10, 2019, without taking gender/sex into consideration of the review process.

2) Remove all misleading information as reported per FCBA.

3) Pay for the damages occurred when locating the psychical address of the company.

**VII. CERTIFICATION AND CLOSING**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 01/07/2020

Signature of Plaintiff



Printed Name of Plaintiff

Roland Ma

FORM 12. Order of Indigency



FILED  
Court of Appeals  
Division I  
State of Washington  
1/16/2020 8:00 AM

(Rule 15.2)

SUPERIOR COURT OF WASHINGTON  
FOR KING COUNTY

City of Seattle,	)	
Plaintiff,	)	No. 19-1-08366-9 SEA
v.	)	
Roland Ma,	)	ORDER OF INDIGENCY
Defendant	)	

The court finds that the defendant lacks sufficient funds to prosecute an appeal for the above RALJ Criminal Case and applicable law grants defendant the constitutional right to review at public expense to the extent defined in this order.

The court orders as follows:

1. The filing fee is waived.
2. Roland Ma, is entitled to counsel for review wholly at the public expense. When review is discretionary, counsel will be provided and the expenses detailed below will be paid if review is accepted or as applicable law permits.
3. The appellate court shall appoint counsel for review pursuant to RAP 15.2. Trial counsel, Cady Nicol, Esq., must assist appointed counsel for review in preparing the record.
4. Roland Ma is entitled to the following at public expense:
  - (a) Those portions of the verbatim report of proceedings reasonably necessary for review dated on November 22<sup>nd</sup> and 26<sup>th</sup> of 2019.
  - (b) A copy of the following clerk's papers:

COPY

Complete records and docket from Seattle Municipal Court.

(c) Preparation of original documents to be reproduced by the clerk as provided in rule 14.3(b).

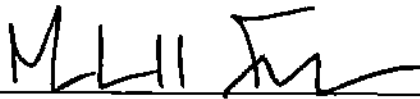
(d) Reproduction of briefs and other papers on review that are reproduced by the clerk of the appellate court.

(e) The cost of transmitting the following cumbersome exhibits:

Total of 29 exhibits used in the trial.

(f) Other items:

DATE: 1-14-2020



Judge/Commissioner/Pro Tem

MARSHALL FERGUSON

Presented by:  
/s/ Roland Ma  
Roland Ma  
100 S King St  
Ste 100-1018  
Seattle WA 98104-2885  
Phone: (253) 888-8001  
Fax: (253) 888-8002  
Email: rolandma@rolandma.com

[Adopted Amended effective June 21, 2005; September 1, 2006.]

**PLAINTIFFS'  
EXHIBIT****B**

<b>Trouble ticket number:</b>	1211596-72
<b>Open Date:</b>	Jan 12, 2020 08:23 PM
<b>Opened by:</b>	Roland Ma
<b>Type:</b>	Call Quality
<b>Status:</b>	Closed
<b>Message:</b>	Were you able to call 855-697-3825? I am unable to call on my callcentric phones, but I can dial that number without any issue with my cell phone and landline. Thanks

## CLOSURE INFORMATION

<b>Date closed:</b>	Jan 15, 2020 07:48 AM
<b>Closed by:</b>	Roland Ma
<b>Close details:</b>	Roland Ma's problem or question has been resolved, and they have closed the trouble ticket.

## COMMENTS:

Jan 15, 2020 05:13 AM : **Customer service**

Hello,

We apologize for any inconvenience.

If you have no further questions, please close this ticket.

To close this ticket, please click on the 'Close this trouble ticket' link near the top of this page. Please note that your ticket will remain open until you close it, as we ourselves do not close tickets.

Thank you.

Jan 14, 2020 10:00 PM : **Roland Ma**

Yeah, that is truly sad. Thanks a lot.

Jan 14, 2020 09:13 PM : **Customer service**

Hello,

It seems that the other party (19172672582) is blocking your caller ID (12538888001). This is something that is done as the other party's choice. Unfortunately, there is nothing that we can do regarding this. I do see that you are able to call that number successfully when blocking your caller ID.

If you have any other questions, feel free to ask us.

Jan 14, 2020 07:52 PM : **Roland Ma**

Seems no luck with caller ID 2538888001

Jan 14, 2020 07:47 AM : **Customer service**

Hello,

We have been updated by our Routing Department informing that the issue should be resolved. Please let us know if you're still having issues.

If you have any other questions, please feel free to ask.  
Thank you

Jan 14, 2020 07:30 AM : **Roland Ma**

Thanks

Jan 14, 2020 05:54 AM : **Customer service**

Hello,



After placing some test calls to the 19172672582 number, there appears to be an issue with the carrier(s) that are completing calls to that destination.

At this time, we are currently investigating this issue with our Routing Department. They will update you when further information is available.

If you have any more questions, feel free to ask us.  
Thank you.

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Jan 13, 2020 10:43 PM : **Roland Ma**

I just made a couple of test calls please review it again

Error Code 503

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Jan 13, 2020 06:17 PM : **Customer service**

Hello,

I am not seeing any call attempts towards "19172672582" on your account. Please confirm that the number is correct. If so, please mention the date and time of the call towards "19172672582".

If you have any other questions, feel free to ask us.

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Jan 13, 2020 12:50 PM : **Roland Ma**

It seems like 19172672582 also unable to call from Caller ID 12538888001

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Jan 13, 2020 11:25 AM : **Customer service**

Hello,

You should be able to complete the calls to 18556973825 by dialing \*67 in front of the number such as \*6718556973825 and our system will utilize our generic Caller ID (19294447689). The calls should also have the generic Caller ID if placed with the Block Caller ID feature enabled for the Extension.

In regard to the number 19172672582, are you referring to placing outbound calls towards 19172672582 that are blocked when using the Caller ID 12538888001?

We look forward to hearing from you, Thank you.

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Jan 13, 2020 09:26 AM : **Roland Ma**

Do you also see the same issue for 19172672582?

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Jan 13, 2020 09:03 AM : **Roland Ma**

But I cannot call a toll free number with a Caller ID block, right?

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Jan 13, 2020 08:47 AM : **Customer service**

Hello,

We were able to replicate the issue with calling 18556973825 while using the 12538888001 Caller ID via 4 different underlying carriers indicating that the number 18556973825 or the associated provider is blocking the calls from 12538888001 in some capacity. Unfortunately, there isn't anything that can be done our end if the calls are being blocked by the receiving party or their provider.

If there are any other concerns, feel free to ask, Thank you.

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Jan 13, 2020 08:01 AM : **Roland Ma**

for some reason it did work

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Jan 13, 2020 05:16 AM : **Customer service**

Hello,

We see that you are making these calls using the Caller ID "12538888001". As a test, please change your Caller ID to a different number on your account on your Extension (<https://my.callcentric.com/extensions.php>) or use a different Extension and perform another test call. After doing so, please update this ticket with your test call results under a different Caller ID.

We look forward to hearing back from you. Thank you.

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Jan 12, 2020 09:43 PM : **Roland Ma**

Test again still getting error code 404

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Jan 12, 2020 09:08 PM : **Customer service**

Hello,

Thank you for reaching out to us, we are more than happy to assist you.

At this time, we have placed multiple test calls to 18556973825 and were unable to replicate an issue as all our test calls connected. Note that some of the test calls went through the carrier used to for your calls to the 18556973825 number.

With that being said, are you still unable to place a call towards 18556973825 at this time?

We will await your response.

Thank you.

**PLAINTIFFS'  
EXHIBIT**

**C**

